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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 DANIEL NIX,

12 Defendants.

CASE NO. CR17-105 RSL

ORDER DENYING MOTION FOR
RECONSIDERATION OF ORDER
ON REVIEW OF MOTION FOR
RECUSAL

13 On June 18, 2018, Defendant Daniel Nix filed a Motion seeking recusal of the Honorable
14 Robert S. Lasnik in this matter. Dkt. #87. On June 22, 2018, Judge Lasnik issued an Order
15 declining to recuse himself and, in accordance with this Court's Local Rules, referred that
16 decision to the Chief Judge for review. Dkt. #90; LCR 3(e). On June 29, 2018, the undersigned
17 issued an Order on Review affirming the denial of recusal. Dkt. #94. On July 2, 2018,
18 Defendant Nix filed the instant Motion for Reconsideration re that Order. Dkt #95. Given the
19 nature of this Motion, the undersigned will rule on this Motion as well.

20 "Motions for reconsideration are disfavored." LCR 7(h)(1). "The court will ordinarily
21 deny such motions in the absence of a showing of manifest error in the prior ruling or a
22 showing of new facts or legal authority which could not have been brought to its attention
23 earlier with reasonable diligence." *Id.*

1 Mr. Nix does not present any new facts or legal authority which could not have been
2 brought to the Court's attention earlier with reasonable diligence. Instead, Mr. Nix argues that
3 the Court engaged in manifest error by, *e.g.*, failing to consider "the extrajudicial supporting
4 affidavit of Rik Evan Johnson attached to Daniel's reply." Dkt. #95 at 3. Mr. Nix also generally
5 reiterates his prior arguments concerning Judge Lasnik's impartiality. Mr. Nix cites to several
6 sources of law that repeat the standard previously before Judge Lasnik and the undersigned on
7 this issue.

8 The Court has reviewed Mr. Nix's motion and finds that it does not demonstrate manifest
9 error in the prior ruling. The Court previously considered the entire record and found no
10 evidence to reasonably question Judge Lasnik's impartiality in this matter. The Declaration of
11 Rik Evan Johnson does not present extrajudicial evidence of bias; to the contrary it discusses Mr.
12 Johnson's observations of Judge Lasnik from the bench. *See* Dkt. #92 at 8–10.

13 Accordingly, the Court hereby finds and ORDERS that Defendant's Motion for
14 Reconsideration (Dkt #95) is DENIED.

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16 DATED this 5th day of July, 2018.

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19 RICARDO S. MARTINEZ
20 CHIEF UNITED STATES DISTRICT JUDGE
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